HON. JOSEPH HOWE,

THE GREAT LIBERAL STATESMAN OF
NOVA SCOTIA.

PROF. GOLDWIN SMITH,

THE EMINENT WRITER.

IN OPPOSITION TO

PROHIBITION

AND COERCION.

Hon. Jos. Howe on Prohibition

STRONG SPEECH IN THE NOVA SCOTIA LEGISLATURE.

APPLICABLE TO PRESENT TIMES.

The Maine Liquor Law was adopted in New Brunswick, but after a year's experience of its effects, it was, on an appeal to the people, condemned with singular unanimity, and immediately repealed. It was discussed with a good deal of ability in the House of Assembly of Nova Scotia during the session of 1854 and 1855, and at one time a small majority decided in its favor. The bill was subsequently postponed and abandoned. One of the most brilliant speeches on the subject was delivered by the Hon. Joseph Howe, the great Liberal statesman of Nova Scotia. This speech has been republished in pamphlet form in Nova Scotia, and has been frequently referred to, and quoted and misquoted in portions of the press. As an able presentation of the case, it deserves, if used at all, to be perused in full, so that all may see what arguments the great orator really used.

After much reflection upon the subject, he had not been able to bring his mind up to assume the responsibility of voting for this bill. He would gladly have done so, because a very large and highly respectable body of his constituents were in favor of it. He had not expressed his sentiments last winter, because during that session he had occupied much time with other topics, and because this had been debated at great length and with marked ability by gentlemen on both sides. He would gladly now refrain, but during the eighteen years he had sat in this Assembly he had never shrunk from an expression of his opinions upon any public question. It was due to the country at large, to his constituents, to the men who sat around him, that he should, even at

the risk of offending those whom he most respected, give his reasons with his vote. He fully admitted the truthfulness of the harrowing pictures of physical suffering and moral degradation drawn by the honorable and learned member for Annapolis. He admitted, in all their extent, the evils of intemperance. He admired the self-devotion and earnestness with which large bodies of men had endeavored to eradicate those evils. He approved of the efforts made by the temperance societies, and wished them success, so long as they sought to reform by persuasion, by argument, and by example. When they attempted impossibilites; when they sought to coerce the people into temperance, he conscientiously believed that they would fail; he believed that all the good they had done would be perilled by a resort to harshness and coercion.

The Deity had not prohibited the use of wine. On the contrary, He had given the grape to man with innumerable other bounties. Our Saviour had not prohibited the use of wine. He had sat with those who drank it, and had, by a miracle, replenished their cups at the marriage feast. The apostles had not forbidden the use of wine. Its use was denounced in the Koran by the Pagan Mahomet, but was not, so far as he could perceive, in the Bible. What, then, the Almighty had not done or attempted; what he could have done with so much ease, yet had refrained from doing, he thought it not wise for man to attempt.

The evils flowing from the excessive use of wine he deeply deplored, as he did the evils flowing from over-indulgence of any other passion or propensity. But who could argue from excess of any kind that the rational enjoyment of God's gift was therefore sinful? Who would venture to argue, that because mischief was done by many of God's gifts, they should, on that account, be circumscribed or prohibited by human laws? The atmosphere that fans the cheek of beauty, that invigorates the frame, that flutters the leaf upon the tree, that dimples the surface of the lake, that gives variety and majesty to the ocean—when accumulated in masses, lashes itself into the tempest and strews the shore with the wrecks of human life and property. The learned member standing amid the wreck of navies and the whitening

bones of human victims might eloquently describe the scene; but would he, if he could, attempt to restrain the eccentricites of nature, or to forbid to man, by human laws, the benefits of navigation? How beautiful is water! (the temperance man's element) yet how dangerous. The rain which fertilizes the fields, sweeps away with its excess bridges, mills and human habitations. If not drained off it sours the land, and breeds pestilence in cities. The fire that warms our hearths, that clears our woodlands, that smelts our metals, that drives our steamers and locomotives, is not less dangerous. Would he deny to man the use of these elements, because the casualties by fire and flood are most disastrous? Would he forbid their use, because people are burned in cities—drowned in the rivers; because a boiler bursts at sea, or an engine sometimes runs off the track, or kills hundreds by the violence of a collision? William the Conqueror, it is true, once denied to the people of England fire and light after the curfew tolled; but the abhorrence in which the act is held would not encourage anybody to follow his example.

Woman is God's best gift to man. The fascination which she spreads around her—how difficult to resist; the passions she inspires—how intimately interwoven with all that arouses to exertion, and rewards us for our toils. Yet, when even love is indulged in to excess; when reason is empowered; when passion hurries on to folly, how numerous the victims; how blasting the effects. Yet who would, reasoning from the perils of indulgence and the dangers of society, deny to man the companionship which alone makes existence tolerable? The learned member for Annapolis might draw from the sinks of vice, or even from the agony of a single victim, some harrowing pictures, but would he, on that account, imitate the Turks, and lock up all the women? The victims of indulgence in opium I have never seen, but even spirituous liquors do not produce the extent of physical suffering and moral dislocation that results from the abuse of this drug. But would the learned member deny to society the use of that which allays the delirium of fever—which soothes the infant upon the woman's bosom, and saves more lives than it ever destroys? Take gunpowder, which blasts our rocks, loosens our plaster, defends our country, kills our

game. Mark the mischiefs and miseries it produces when its mysterious power is abused. But who would argue that, because boys blow themselves up, and tyrants use gunpowder for unworthy purposes, its use should be forbidden? Would the learned gentleman, even with the battlefields of Balaclava or Inkerman before him, attempt to restrain, by human laws, the manufacture and sale of gunpowder? Who denies that law is the safeguard of our lives and property; that courts are indispensable institutions; that lawyers are the fearless advocates of the innocent and oppressed? But has not even law been abused? How many pettifoggers defile the courts, ensnare the ignorant, waste men's estates and embitter their lives? Walter Scott's Peebles and Planestanes and Dickens' pictures of the Court of Chancery are familiar to us all. These are but sketches illustrative of the evils inseparable from the dispensation of equity and law by the most perfect tribunals of civilized countries. How are these evils to be mitigated or removed? I would say by discussion; by exposure; by example; by honest and successful attempts to separate the securities and the legitimate practice of law from its abuse. The learned advocate of this bill, to be consistent, should close the courts, imprison the lawyers, and forbid the manufacture of law, or its importation from foreign countries. Woman, from her first appearance on the scene of life, has brought sorrow and suffering with her. In her train came rivalries, and jealousies, and war, and strife. Let the learned member go into his own county where the pretty faces peeping through the apple blossoms are lovely to behold. Even there, are there no broken hearts, no pale faces, no blighted lives, no damaged reputations? No girls, with Burns' pretty excuse upon their lips:—

> "A dear loved lad, occasion snug,
> A treacherous inclination."

No youths pleading, in the intonation of passionate repentance, that even

> "The light that led astray
> Was light from heaven."

Yet would the learned gentleman, in view of all these evils, point to the pretty girls and say, "Touch not, taste not, handle not?" Would he, for fear of mischief, coop them up like cows in a Belgian barn?

The world has come down to the present period, from the most remote antiquity, with the wine cup in its hand. David, the man after God's own heart, drank wine. Solomon, the wisest of monarchs and of human beings, drank wine. Our Saviour not only drank it, but commanded Christians to drink it, "in remembrance of Him." In strong contrast with our Divine Redeemer's life and practice, we hear of the Scribes and Pharisees, who drank it not—who reviled our Saviour as a "wine bibber," and the "companion of publicans and sinners," who would have voted for the Maine Liquor Law as unanimously as they cried, "Crucify Him."

Such people have existed in all ages of the world. The desire of human beings to dictate to each other what they should eat, and drink and wear, has been evinced in different countries at different periods. The zealots in the State of Maine are mere plagiarists after all. Sumptuary laws, tried in many countries, and at different periods of the world's history, are now universally condemned by the good sense of mankind. Laws restraining drunkenness are nearly as old as drinking. It is curious to see what strange experiments have been tried at times Zaelucus of Locris, four hundred and fifty years before the Christian era, ordained "that no woman should go attended with more than one maid unless she was drunk; and that she should not wear gold or embroidered apparel unless she intended to act unchastely." This sage lawgiver punished adultery with the loss of both eyes. His own son broke the law; and the old gentleman, unwilling to deprive his son of both eyes, compromised the matter by putting out one of his own.

As early as 747, laws were passed in England restraining drunkenness in the clergy; and Constantine, King of Scots (who was a sort of Neal Dow in his day), punished with death.

His laws passed as this law will pass, and a good deal of whiskey has been drunk in Scotland since. In England, in 995, an effort was made to restrain drinking by law, but it failed. Taverns were only introduced in the thirteenth century. In the reign of Edward the Third there were only three allowed in all London; now there are thousands. Edward the Fourth tried to restrain them in 1552; forty

were then allowed in London, eight in York, and but four in Oxford. They were not licensed till 1752. The history of wine is curious; its invention is attributed to Noah, who certainly had seen enough of the evils of water. The Chinese made wine from rice two thousand years before the birth of Christ; and, although it must be allowed that they have tea enough, they make and drink it yet. Wine was but little known in England till the Roman conquest. We are told that it impairs our strength; yet the people who drank it conquered those who did not. It was only sold by the apothecaries (as is now proposed again) in the thirteenth century. In 1427, Henry the Sixth, a sensible king, tried to restrain its adulteration, and we read, "that one hundred and fifty butts and pipes were condemned and emptied into the gutters in London, for being adulterated."

The Stoics denied themselves the use of wine, but their sect soon died out. The Puritans tried the experiment of coercing people into temperance and virtue, but they signally failed. I invite the honorable and learned member for Annapolis to review this period of English history. I refer to the time when the Puritan cause was most triumphant; when Charles had been slain, his followers dispersed; when Cromwell reigned at Whitehall; when his Major-Generals held military command of all the counties; when the May-poles were struck down, the theatres closed, the taverns shut up; when mirth was restrained, and temperance enforced by the sword. Now, what was the effect of all this? No sooner was the Protector in his coffin, than the people of England, by a common impulse, threw off a system which they regarded as oppressive. So distasteful had these restraints become, that the people restored the Stuarts, forgot their civil wars and sacrifices, and reopened their theatres and taverns; and so disgusted were they with Puritan domination, that liberty was forgotten in the general joy which the restoration of personal freedom occasioned. The wine cup went round, and from that day to this, no attempt has been made to re-establish Cromwell's system. Now, I fear that the friends of temperance are about to sacrifice all the good they have done, as the Puritans sacrificed all the reforms that they had established, by carrying restraints too far. This law may be partially enforced for two or three

years, but it will coerce people into resistance, and occasion a revulsion of feeling to be followed by universal license.

So far as my reading extends, I may assert that every king, every statesman, every warrior who has illustrated the page of history, drank wine. The apostles, who were the companions of our Saviour, drank it. The prophets, whose flights of inspiration still astonish us, we have every reason to believe, drank it. Cicero and Demosthenes, and all the orators of antiquity and of modern times, indulged in the juice of the grape. Who can say how much of the energy which gave them such power of language was drawn from its inspiration? Have these men been eclipsed by the Dows and Kellogs of the platform? What orators has the State of Maine sent forth comparable with the Pitts, Burkes, Grattans, Foxes and Sheridans of the British Islands, every one of whom drank wine? Let the learned gentleman glance at the noble structures—the architectural wonders that embellish Europe. Who reared them? Men of gigantic intellects whose common beverage was wine. Let his eye range through the noble galleries where the sculptures have left their statues; where the painters have hung in rich profusion the noblest works of art. Wine, we are told, clouds the faculties and deadens the imagination. Yet it was drank by those benefactors of their race; and we cannot, with their masterpieces before us, believe the assertion, till their works have been eclipsed by artists trained up under this rigorous legislation. Has Maine turned us out yet a statue that anybody would look at; a picture that anybody would buy? Look at the deliverers of mankind; the heroic defenders of nations. Was Washington a member of the temperance society? Did not Wallace "drink the red wine through the helmet barred?" Who will undertake to say that Bruce, on the morning on which he won the battle of Bannockburn—that Tell, on that day when he shot the apple off his son's head, had not tasted a glass of whiskey or a stoop of wine?

If then, sir, all this is valuable in the past—if heroism, and architecture, and oratory, sculpture and painting—if all that has bulwarked freedom and embellished life—has come down to us with the juice of the grape, if no age or nation has been long without it, I think it be-

hooves the advocates of this bill to show us some country where their system has been tried ; some race of men who drank nothing but cold water.

I turn to the learned member's own profession. I ask him to show me two such lawyers, two judges so eminent, as Lord Eldon and Stowell ; the one the wonder of the admiralty, as the other was of the equity court. Yet it is on record that at the very time when these men were oppressed with Herculean labors—when day after day they were delivering judgments so masterly and profound that they defy all criticism—each of these great jurists drank his five bottles of port a day. I certainly would not advise the learned member for Annapolis to try, in this country, an experiment so hazardous. In the moist climate of England this might be done, but not in the dry atmosphere of Nova Scotia. I have sometimes seen him, however, when a few glasses would have done him good. Indeed, I often fancy that, both in the Senate and at the Bar, his wit is not so poignant, or his logic so acute, as in the olden time when he used to take his glass of wine.

My honorable colleague and friend from Cumberland, whose sincerity in this cause I entirely respect, quoted to us last winter the passage from Scripture, "If eating meat causes my brother to offend then I will eat no more." But would my honorable friend shut up all the butchers' shops and forbid by law the sale of meat, for fear somebody would eat too much? Again he told us, "we have tried moral suasion, and have failed." If so, who is to blame? If a speaker here fails to convince his audience, do we permit him to coerce them into belief by force of law? I resist this bill because it is a violation of the voluntary principle. Because it is defended by the old arguments by which fanatics and persecutors in all ages have sought to propagate religious opinions. Hoping to save men's souls (more precious than their bodies), Catholics have burnt Protestants, and Protestants Catholics. The right of private judgment was denied. The right of one human being to coerce others into belief, as is now sought to coerce them into temperance, has been tried a thousand times, and has failed, as this attempt will fail.

Goldwin Smith in Opposition.

Prohibition Trenches on Personal Liberty.

ALWAYS FAILS OF ITS OBJECT.

Argument that It Will Do More Harm Than Good to Public Morality.

To the Editor of the Toronto SUN :—

SIR,—The issue of prohibition is now fairly before us, and surely we may discuss it as fellow-citizens having the same end in view, without disparagement to each other's character and motives. The policy of prohibition is questioned not only by the liquor interest, but by a great body of people totally unconnected with that interest—friends of temperance and temperate themselves—who are opposed to prohibition because they sincerely believe that besides trenching on personal liberty, it fails of its object, and always has done, and is likely always to do, more harm than good to public morality.

Drunkenness we all abhor and despise. On that subject opinion, which formerly was unsound, is now perfectly sound. It constitutes a social law really more powerful, more certain in its operation, surer in

the infliction of its penalties, than laws written on the statute book and enforced by the police. The man who is known to be a drunkard is socially and industrially under a ban. Nobody is willing to employ him ; he forfeits his chances of marriage ; the insurance office shuns him ; disgrace and poverty are his lot. It used to be far otherwise. Excess in liquor was once almost a part of hospitality. But it is not so now. This very temperance movement is a proof of the strength of feeling on the question which makes itself felt in all departments and relations of life.

In the Light of Experience.

Where prohibition has been tried what has been the practical result? We have a right to ask this when we are called upon to make what all admit to be a very costly as well as a very critical experiment. We should have to sacrifice seven millions of revenue. We should have to kill the capital invested in the trade, amounting, it seems, to fifty millions. We should have to throw out of work thousands of people directly or indirectly earning their bread by the business. We should have seriously to injure the growers of barley, cider apples, and grapes. If we admitted, as in justice we could hardly fail to admit, a claim for compensation, another large item would be added to the account of loss. We should have to pay for the additional police necessary to guard our immense frontier and to coerce the less settled sections of the population, such as the mining adventurers of the West. We might possibly have to coerce Quebec. We should further imperil the interests of our country by proclaiming it to be under an ecclesiastical and ascetic rule, which many, rightly or wrongly, abhor. Without setting material loss against moral gain, we are entitled to proof, before incurring so great a material loss, that we are sure of the moral gain. Prohibitionists themselves, regardless as they may be of worldly interests compared with the principle, would not wish to see the cause of temperance saddled with the memory of a ruinous failure.

We all, it may be presumed, prefer liberty and the virtue which is

freely formed. Temperance in its proper sense is self-restraint, and would cease to exist if abstinence were enforced by law. However, in desperate cases desperate remedies must be applied. But is the case of Canada desperate? Is Canada a drunken country? Is it not, on the contrary, temperate, and increasingly so? Have not education, religion, and the teachings of medical science been doing their work? Professor Blaikie thought he was scoring a point for prohibition by complimenting Toronto on the freedom of its streets from drunkenness. But Toronto was not under the Scott Act.

There have been false alarms. A temperance lecturer once said that there were 10,000 deaths in Canada annually from alcohol. Ten thousand would be more than half the male adult deaths in the Dominion. Even three thousand or four thousand deaths from alcohol (the estimates of the Hon. George E. Foster and the Hon. G. W. Ross respectively) must be very far beyond the mark.

The Scott Act.

We have tried prohibition in the form of the Scott Act. County after county adopted the Act; county after county repealed it by majorities larger than those by which it had been passed, finding, as there was a large body of evidence to show, that while the Act stopped social conviviality it increased secret indulgence; that it led to contraband traffic in liquor, to contempt of the law, to perjury, to the evils of the spy system, to disturbance of neighborly peace and good will. Here was a genuine popular verdict founded on a practical trial of the system. Nor was it really reversed by the subsequent provincial plebiscite in favor of prohibition carried by a majority in the proportion of 19 to 11, while only 58 per cent. of the vote was polled, and the balance might safely be set down as in the main opposed or indifferent. The enactment and the repeal of the Scott Act were legislation approached by the voter with a full sense of responsibility. The plebiscite was not legislation; it was a mere fancy vote.

It may be said that the Scott Act was local, and that the area was not large enough to keep off contagion. But would the area of Canada be large enough to keep off contagion? Would not the taste be revived in every Canadian who crossed the line or went to England? Popular literature, such as the works of Dickens, is full of the convivial use of liquor, and its influence no law could annul. There would be little hope, therefore, of eradicating the desire in the long line of provinces stretching from the Atlantic to the Pacific.

It is said that the repeal of the Scott Act was followed by an increase in drunkenness. This is not unlikely. Overstraining is naturally followed by a recoil. Puritan overstrictness was avenged by the outburst of licentiousness in the reign of Charles II.

Across the Border.

Massachusetts, the model State of the Union, tried prohibition for a series of years, and gave it up, finding that the closing of the public places of sale multiplied the secret places; that more liquor and worse liquor was drunk; and that there was more drunkenness in Boston than ever. "The mere fact," says the report, "that the law seeks to prevent them from drinking, rouses the determination to drink in many. The fact that the place is secret takes away the restraint which in more public and respectable places would keep them within temperate bounds. The fact that the business is contraband and liable to interruption, and that its gains are hazardous, tends to drive honest men from it and leave it under the control of dishonest men, who will not scruple to poison the community with vile adulteration."

Vermont, a rural State, without slums, tried prohibition for 40 years, piled one repressive enactment upon another, heaped up penalties, gave the police power to enter any house without a warrant. The result, as stated by Mr. Edward Johnston, in the Popular Science Monthly for May, 1884, was that for all practical purposes the law was a dead letter. There were dram shops in the principal streets, and no concealment of the illegal traffic. Nobody dreamed of enforc-

ing the law as the laws against burglary and larceny are enforced. Perjury and subornation of perjury, disregard and contempt of all law, were practically fostered and encouraged.

In Iowa, a correspondent of Harper's Weekly reported that prohibition in the cities meant free liquor. A correspondent of the New York Nation confirmed the statement. Dr. Dio Lewis, in places where he had been assured that drink could not be had for love or money, saw drunkards reeling in the streets. In Iowa City he saw from 75 to 100 kegs of beer delivered on trucks. The business directory of Dubuque, a city of 35,000 inhabitants, comprised two breweries, 35 hotels, 10 wholesale liquor places, and 181 saloons. Formal prosecutions were a mere mode of raising a tax. Druggists' shops were turned into liquor shops, with a few drugs in the window.

In Kansas, the State of Governor St. John, the chosen chief of prohibition, where the most stringent prohibition had been enacted, the result, according to Dr. Gardner, was that the drug stores were little more than rum shops, and that their number was astonishing. In one town of four thousand people, fifteen of them were counted on the main street. Leavenworth, with a population of 23,000, had a hundred and seventy-five places where liquor was sold. In Kansas City the police collected, in 1882, $45,000 in fines for illegal sale of liquor. There is a general tendency to convert prohibition, where it prevails, practically into license, by taking the fees under the guise of fines. In Tongawoxie, a small town in Kansas, where there was no saloon before prohibition, there were three or four afterwards. This is against the theory that prohibition works well in small places, though in large cities it works ill. At Topeka, in Kansas, there are no saloons. But there were none when prohibition was introduced, popular feeling being against them. A proof that it is popular feeling that is strong, rather than prohibitive law.

In Maine.

Maine is the banner State of prohibition. It had been trying the system for nearly half a century, time enough to kill the liquor traffic,

if the liquor traffic was to be killed. Yet "Gail Hamilton," who knew the State well, said in the North American Review: "The actual result is that liquor is sold to all who wish to obtain it, in nearly every town in the State. Enforcement of the law seems to have little effect. For the past six years the city of Bangor has practically enjoyed free rum. In more than one hundred places liquor is sold, and no attempt has been made to enforce the law. In Bath, Lewiston, Augusta, and other cities, no real difficulty is experienced in procuring liquor. In Portland, enforcement of the law has been faithfully attempted, yet the liquor traffic flourishes for all classes, from the highest to the lowest..... In a journey last summer for hundreds of miles through the cities and through the scattered villages and hamlets of Maine, the almost universal testimony was 'you get liquor enough for bad purposes in bad places, but you cannot get it for good purposes in good places.'" "What works against prohibition," the writer added, "is that in the opinion of many of the most earnest total abstinence men, the original Maine law State, after thirty years of prohibition, is no more a temperance State than it was before prohibition was introduced." It appears that upwards of 1,000 people in the State paid United States retail liquor tax, though Archdeacon Farrar was informed that the trade had been completely driven out of sight. With these accounts the general results and most recent enquiries appear to correspond.

Neal Dow.

Gen. Neal Dow himself, upbraiding his former party for its slackness in the cause, complained of the number of low drinking places infesting the cities of Maine. The New York Sun, after investigation carried on through its correspondent, said: "The actual state of affairs in Maine is perfectly well understood by every Maine man with eyes in his head, and by ever observant visitor to Maine. In no part of the world is the spectacle of drunken men reeling along the streets more common than in the cities and larger towns of Maine. Nowhere in the world is the average quality of the liquor sold so bad;

and consequently so dangerous to the health of the consumer and the peace of the public. The facilities for obtaining liquor vary in different parts of the State, from the cities where fancy drinks are openly compounded, and sold over rosewood bars, to the places where it is dispensed by the swig from flat bottles carried around in the breeches pockets of perambulating dealers. But liquor, good or bad, can be bought anywhere." Perjury, the Sun correspondent also stated, as usual was rife. In the cities of Maine, though the law had been forty-six times amended to sharpen its teeth, liquor, generally of a bad kind, was freely, though clandestinely, sold. "Pocket peddling" was rife, and pressed the temptation on the young. The city of Bangor had openly taken itself out of the law, and established a liquor system of its own. In Portland the city government sold liquor nominally for medicine, but really also as a beverage, and the agency was a scene of falsehood, jobbery, and corruption. The corruption of city officers was an almost inevitable and a serious consequence of the system. Some of those who had administered the law in Maine were among the strongest advocates of repeal, and of a return to the license system. They tried to give effect to the law. They fined, they imprisoned, they perhaps ruined one set of liquor dealers, and the only result was that a worse set succeeded.

It is said that in Maine the abuse is confined to the mixed population of cities, especially the seaports, and that in the rural districts the law is successful. It is apparently successful in the rural districts, because there people are temperate of their own accord. It fails where coercion is needed.

I interviewed Neal Dow, the venerable patriarch of prohibition. It may have been a casual mood, but he seemed to me to be disappointed and somewhat embittered. The wife of a man imprisoned for liquor selling had sold some liquor, which was left in the house, to buy bread. Neal Dow spoke of her offence and of the punishment which she merited in very extreme terms. Moral crusades have done much for us. But moral crusaders are apt in their zeal to overstep the limits of justice. The Scott Act set up

arbitrary tribunals, forced a man to criminate himself, compelled husband and wife to break the marriage vow by testifying against each other. The practice of forcing the consciences of candidates at elections is not consistent with public morality, or with true loyalty to the commonwealth, whose general interests it disregards. Traders in liquor are treated as assassins, and put out of the pale of justice, though they have been specially recognized by the State, which has received their license fees.

Some years ago seventy or eighty taverns were suddenly closed in Toronto. The keepers of the taverns could not starve. They sold liquor secretly, and the result was an unusually drunken Christmas. The tavern door, when you have closed it by law, ceases to tempt ; but the illegal liquor seller may be a more active tempter.

In all these cases the law no doubt has its friends. It could not otherwise have been passed, and its friends naturally give a favorable account of its operation. Much evidence of that kind was given to the Canadian Commissioners, and has formed the basis of a minority report. But, making the fairest allowance for this, and supposing the evidence to be balanced, it is surely impossible to say that in any case there is such practical proof of the success of prohibition as would warrant us in encountering all the cost and risks of a sweeping measure for the whole Dominion. Improvement which was really spontaneous may sometimes have been credited to law.

In Foreign Countries.

Evidence of the evils of drunkenness, though largely given, is not to the point. The evils of drunkenness nobody disputes. The question is only as to the practicability and efficacy of the remedy now proposed.

Imposing statistics are brought to prove a connection between drinking and crime ; and it is inferred that if you stop drinking crime will cease. Is there not a fallacy here ? In most cases, is it drinking that is the parent of crime, or is it not rather depravity of nature,

inherited or induced by circumstances, that is the parent of both? Besides, criminals have learned the trick of pleading drink as the origin and excuse of their crimes. There is no absence of crime in Turkey, where the Koran prohibits drink, or in Spain, which is noted for temperance. We are also told that drunkenness is the great source of poverty. That drunkenness, where it exists, is a source of poverty cannot be questioned. But the sources of poverty are countless, including fluctuations of industry, decline in the value of products, and other economical causes, as well as personal infirmities, disease, and mere idleness and thriftlessness, which are often found apart from addiction to drink. The poverty of the millions in Hindoostan has not its source in drink.

That the moderate use of liquor must lead to excess is an assumption at variance with facts. English gentlemen use wine daily, and abhor drunkenness. Millions and tens of millions in other countries do the same. In Spain, we are told, everybody drinks a little wine, yet a drunken man is almost a prodigy. Croker, in his "Travels in Spain," says: "The habitual temperance of these people is really astonishing; I never saw a Spaniard drink a second glass of wine." Another English tourist says: "In all our wanderings through town and country, along the highways and byways of the land, from Bayonne to Gibraltar, we never saw more than four men who were the least intoxicated." Mr. Bryant, the American author, has confirmed this account.

Moderate Drinking.

Nothing can be better proved than that to carry into effect laws of this kind in a free country you must have the conscience of the people thoroughly and actively with you. Men may vote for prohibition from general hatred of intemperance; perhaps under ministerial or personal influence; but will their conviction be strong enough to make them join heartily in giving effect to the law? They would do their best to bring a murderer or a thief to justice. Will

they do their best to throw into gaol and ruin a neighbor, otherwise harmless, perhaps a friend or acquaintance, for selling or drinking a glass of whiskey or ale? Will they not be apt, even if they are abstainers themselves, rather to help him to get off? The people do wrong in breaking or evading the law; but the legislator does wrong in making a law which the people are sure to break.

No fair-minded prohibitionist can think that the use of fermented liquors is so clearly immoral that in suppressing it the consciences of all men will be with you. Christ undoubtedly used wine; His apostles used it; He made it an element in His most sacred ordinance for ever. An overwhelming majority of mankind still use fermented liquors. The taste is coextensive and coeval with humanity. In the earliest mythologies there are gods of wine. The great prohibitionist, Archdeacon Farrar, most positively disclaims the belief that the moderate use of liquor is criminal. Mr. Gladstone is known to have used wine.

Nor can you reasonably say that all fermented liquor is poison when you see moderate drinkers living to a hundred, and find moderate use still prescribed by eminent physicians. You may think, possibly with reason, that whiskey or beer is unwholesome; though the constitutions of men may differ in that respect. But mere opinion that an article of diet is unwholesome, especially when the opinion is so far from being universal, is not a sufficient ground for the interference of the law. Behind this agitation for the prohibition of drink begins to loom an agitation for the prohibition of tobacco. If the experts of medical science would pronounce unanimously, or with any approach to unanimity, that the moderate use of liquor necessarily generated disease, and shortened life, the effect would presently be seen.

Those who sincerely believe that such laws are a tyrannical misuse of political power, in resisting as far as they lawfully could the application of the measure, would be acting no less conscientiously than those who were striving to put it in force.

Prohibition discriminates against the lighter drinks, such as wine, beer, and cider, and in favor of whiskey, because the bulk of whiskey

being less, it is more easily smuggled, while its clandestine manufacture is more easily concealed. Besides, there are other intoxicants, such as opium and chloral, the use of which would be likely to increase when liquor was withdrawn.

Legal prohibition kills voluntary efforts such as that of the Bands of Hope or the Good Templars, which have done so much to diminish drinking. It is believed that this effect is already felt in advance, and that it accounts for a slight increase of inebriety in some places. Nor, if coercion fails, will organization for voluntary effort be easily revived.

Everybody admits that the liquor trade has its special dangers, and stands in special needs of legislative supervision and control. These may be applied to any extent, and in any form which may seem expedient, so long as the trade is in recognized and responsible hands. When the trade becomes contraband all regulation is practically at an end.

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